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Attorney Docket P1793R1

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PATENT

EV 048 195 093 US: Express Mail Number

December 13, 2001: Date of Deposit



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION Assistant Commissioner of Patents Washington, D.C. 20231

# NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Laura C. Simmons Laura Klimowski Dorothea Reilly Daniel G. Yansura

Title:

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PROKARYOTICALLY PRODUCED ANTIBODIES AND USES THEREOF

- 1. Type of Application
- [ ] This application is for an original, non-provisional application.
- [x ] This is a non-provisional application claiming priority to provisional application no. 60/256,164 , filed <u>December 14, 2000</u>, the entire disclosure of which is hereby incorporated by reference.
- [] This is a [] continuation-in-part [] continuation [] divisional application claiming priority to application Serial Number\_\_, filed \_\_, the entire disclosure of which is hereby incorporated by reference.
- 2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)
  - 73 pages of specification
  - 4 pages of claims
  - 1 page of abstract
  - \_\_\_\_\_\_\_\_sheet(s) of drawings [] formal [x] informal

3.	. Declaration or Oath						
	<u>x</u>	(for new and CIP applications; also for Cont./Div. where inventor(s) are being added) An unsigned declaration of the inventors is enclosed. A signed declaration of the inventors will follow.					
	_	(for Cont./Div. where inventorship is the same or inventor(s) being deleted) A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).					
		(for Cont./Div. where inventor(s) being deleted) A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).					
4.	Assi	gnment					
	_x_	(for new and CIP applications) An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [x] will follow.					
		(for cont./div.)					

5.	Amendments		(for continuation an	d division	al appl	lications)		
		Cancel in the filing fee. (A	nis application original on the state one original income original income original income.	claims ( lependent	of the p	prior applicatior nust be retained	ı before calculatiı I for filing purpos	ng the es.)
		properly nu	ry amendment is encl mbered consecutively original claim in the pric	beginning	with the	added by this a he number nex	imendment have it following the h	been ighest

The prior application is assigned of record to Genentech, Inc.

#### 6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

		CLÁIN	S FOR FEE CA	ALCULATION	A TOP OF THE STATE		
Number	Filed	n Numb	er Extra	Rate	Basic Fee 37 CFR 1.16(a)		
			A.		\$740.00		
Total Claims	41	- 20 =	21	X \$18.00	\$378.00		
Independent Claims	2	- 3=	0	X \$80.00	\$0.00		
	Multiple d	ependent claim	+ \$270.00	\$0.00			
			Fil	ing Fee Calculation	\$1,118.00		

#### 7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$1,118.00. A duplicate copy of this transmittal is enclosed.

#### 8. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet** is enclosed.

9.	Additional	Paners	Enclosed

- [] Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- [] A new Power of Attorney or authorization of agent.
- [] Other:

10.	Maintenance	of	Copendency	of	Prior	Application	(for	continuation	and	divisional
applica	ations)									

[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]

	A petition, fee and/or response has been filed to extend the term in the pending prior application until
<u> </u>	A copy of the petition for extension of time in the <i>prior</i> application is attached.

### 11. Correspondence Address:

X Address all future communications to:

Attn: Steven X. Cui

Respectfully submitted, GENENTECH, INC.

Date: December 13, 2001

By:

Steven X. Cui Reg. No. 44,637

Telephone No. (650) 225-8674

PATENT TRADEMARK OFFICE